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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/357,720	07/21/1999	RUSSELL W. BELL	60704-1870	9648

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EXAMINER

VU, THONG H

ART UNIT	PAPER NUMBER
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2152

DATE MAILED: 01/29/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/357,720

Applicant(s)

BELL, RUSSELL W.

Examiner

Thong H Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 21 July 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

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1 This office action is in response to application filed 7/21/1999. Claims 1-12 are pending.

The rejection is cited as stated below.

2 The provisional application 60/093,540 filed 7/21/98 is verified.

3 Claims 1-12 are rejected under 35 U.S.C. 103 as being unpatentable over Conant et al [Conant 5,315,592] in view of Dillon [6,067,561]

4 As per claims 1,7 and 9 Conant discloses a method for communicating in a point to multi-point digital subscriber line (DSL) network, comprising the steps of:

electrically connecting a local loop to customer premises wiring [Conant col 3 lines 36-62, col 4 lines 1-10];

configuring the computer as a Slave computer on the LAN, if at least one other computer is detected as being in communication with the LAN [Conant col 11 lines 40-67];

establishing a WAN communications link between the Master computer located at the customer premises and a line card located at a central office, across the local loop, wherein communications between the Master computer and the central office occur in a WAN frequency band; [Conant col 3 lines 9-35, col 5 lines 15-43, col 6 lines 8-36, col 11 lines 40-67, col 12 line 37-col 13 lines 15]. Examiner takes an Official Notice that the DSL network is well-known in the network as inherent feature of WAN link [see Liu, Veeneman references]

However Conant is silent on directing outgoing WAN communications from any of the Slave computers to the WAN communications link, via the Master computer; and receiving incoming WAN communications directly at any of the Slave computers.

A skilled artisan would have looked to the Wide area network art to implement the Conant's apparatus and found Dillon's teaching. Dillon taught a network environment wherein a

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client sends requests through a server which is connected to a front end computer (WAN link) and the front end computer sends a notification or response directly to client machine [Dillon Fig 1-2].

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the technique of sending request indirectly through a computer and receiving the response directly from a WAN link as taught by Dillon into Conant's apparatus in order to utilize the LAN/WAN links. Doing so would provide the quick, simple and efficient process to communicate between source and destination on wide area network.

Thus the system and method of claims 1,7 and 9 is obvious in view of the combination of references.

5 As per claims 3 and 10 Conant-Dillon disclose the LAN frequency band is located at a higher than range that the WAN frequency band [Conant col 3 lines 9-35,col 5 lines 15-43, col 6 lines 8-36, col 11 lines 40-67,col 12 line 37-ol 13 lines 15].

6 As per claims 4 and 11 Conant-Dillon disclose the WAN frequency band is a DSL frequency band as inherent feature of WAN link [Conant col 3 lines 9-35,col 5 lines 15-43, col 6 lines 8-36, col 11 lines 40-67,col 12 line 37-col 13 lines 15].

7 As per claims 5 and 12 the WAN frequency band more specifically comprises an upstream frequency band and a downstream frequency band as inherent feature of WAN link [Conant col 3 lines 9-35,col 5 lines 15-43, col 6 lines 8-36, col 11 lines 40-67,col 12 line 37-col 13 lines 15].

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8 As per claim 2, Conant-Dillon disclose outgoing communications from a Slave computer to the Master computer using a LAN frequency band [Conant col 3 lines 9-35,col 5 lines 15-43, col 6 lines 8-36, col 11 lines 40-67,col 12 line 37-col 13 lines 15].

9 As per claim 6, Conant-Dillon disclose the step of receiving incoming WAN communications includes monitoring, by the Slave computers, communications over the customer premises wiring within the downstream frequency band as inherent feature of WAN link [Conant col 3 lines 9-35,col 5 lines 15-43, col 6 lines 8-36, col 11 lines 40-67,col 12 line 37-col 13 lines 15].

9 As per claim 8 Conant-Dillon disclose third logic, operable upon a reset condition, configured to determine whether any other computer is presently in communication with the LAN; fourth logic configured to establish WAN communications from the computer within a WAN frequency band, if the third logic indicates that no other computer is presently in communication with the LAN as inherent features of reset logic on bridges [Conant col 9 lines 6-15].

Thus, as explained above, the system and method of claims 1-12 is obvious in view of the prior art.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thong Vu, whose telephone number is (703)-305-4643. The examiner can normally be reached on Monday-Thursday from 8:00AM- 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Mark Rinehart*, can be reached at (703) 305-4815.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9700.

Any response to this action should be mailed to: Commissioner of Patent and Trademarks, Washington, D.C. 20231 or faxed to :

After Final (703) 746-7238

Official: (703) 746-7239

Non-Official (703) 746-7240

Hand-delivered responses should be brought to Crystal Park 11,2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

**Thong Vu**  
**Patent Examiner**  
**Art Unit 2152**



**MARK H. RINEHART**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**